

debt up to \$5.95 trillion. I would hope that we do not exceed that. I would hope that we do not obligate our kids and grandkids.

I am also concerned about the President's proposal because it increases taxes \$108 billion over five years. Do you remember last year, this side of the aisle, the Republicans, suggested that we have a \$10 billion tax cut. There was great anxiety on the part of many, saying that was too much of a tax cut.

But, again, this budget that the President has just sent us increases taxes by \$108 billion. I include fee increases as part of that tax increase, because really fees are in effect real taxes. There is \$82 billion technically in taxes and \$26 billion in fees.

I am concerned that the budget reduces money for research. Look, the rest of the world is gaining on us. They are trying to learn how to produce as efficiently as we are. We have got strong challenges for the future. It means not only should we be frugal in not allowing government to grow, reducing our debt, the overall debt of this country, so interest rates will stay low, so that we can encourage economic development and the strength of our economy, but it also means we have to be on the cutting edge of research. I hope as we move ahead on this budget resolution, we will continue to be frugal in cutting out waste in the Federal Government and also we will be looking at prioritizing existing spending to maximize the chance that we can stay ahead of the rest of the world in terms of productivity and competitiveness and ultimately maintain our standard of living.

#### NIKITIN TRIAL TO PROCEED IN RUSSIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. ABERCROMBIE) is recognized for 5 minutes.

Mr. ABERCROMBIE. Mr. Speaker, I want to acknowledge that the gentleman from Iowa (Mr. GANSKE) is here to begin his hour presentation, I believe, and I want to thank him for his courtesy in allowing me to claim this five minutes. I am sure that he will join with me and the gentleman from Pennsylvania (Mr. WELDON) and others with respect to the very important subject that we wish to devote just a few minutes to today.

Mr. Speaker, surely we can take some time at this particular juncture to devote attention, in this special order, to the difficulties that are now being experienced in what was the former Soviet Union, that is to say, in Russia.

The Supreme Court in a Supreme Court session in Russia is being held on the 4th of February with respect to the Alexander Nikitin case. The case, Mr. Speaker, is important not only to Captain Nikitin and those who are interested in addressing issues of freedom in

Russia, but it has profound consequences for all of us on the planet.

Captain Nikitin has been the leading exponent of making clear what is happening with nuclear deterioration with the submarine fleet in the former Soviet Union. The degradation that is taking place in the environment there is something of concern, not only to the Russian people, but to all of us throughout the world. He is now being tried as a result of trying to bring this information forward in a more clear sense than it has been available before.

I want to indicate for those Members and those who may become aware of the special orders today throughout the Nation that they can contact the Bellona Foundation, B-E-L-L-O-N-A, at P.O. Box 11835 in Washington D.C., 20008, and contact the Bellona Foundation if you want to aid and assist Captain Nikitin in Russia, if you want to become more aware of what is taking place with the deterioration of the nuclear submarines in the former Soviet Union.

The Supreme Court is going to hear the appeal, as I indicated, on Thursday, February 4. I expect a verdict will be there the same day.

For those of you who are not familiar with the case and the circumstances, let me give you a little background very quickly. The Council for Criminal Cases in the Supreme Court in Russia takes many former Soviet dissidents back to the times of the KGB. They have a special department there supervised by the KGB. They used to have one responsible for handling crimes against the state.

I want it understood what is being said in Russia today is to express opinions and to discuss information that is otherwise available publicly, in public, in Russia today, is seen as a point of subversion and treason. That is what Captain Nikitin is being tried for.

So what we are asking, Mr. Speaker, is that the Department of State pay particular interest and approach their counterparts in Moscow to indicate that the United States is very, very concerned about this situation, that we are watching it, that they are not going to be able to do this behind closed doors and get away with it. They are not used to public hearings in Russia and they are scared to go public on this.

It is very, very important that Captain Nikitin's case be recognized by our Department of State as something that Members of this Congress are very, very concerned about, and I call on other Members to acquaint themselves with the circumstances.

The gentleman from Pennsylvania (Mr. WELDON) is well aware of it, as I said. He is unable to be with us today to discuss the situation further. But I can assure you, Mr. Speaker, and I assure the other Members, this is not the last time that I will be on this floor, nor that individuals like the gentleman from Pennsylvania (Mr. WELDON) will be here.

Let me conclude by indicating to that on a recent Congressional delegation trip to Russia, the gentleman from Missouri (Mr. SKELTON) as the ranking Democrat on the Committee on Armed Services led a delegation of individuals from the Congress there, and we met with Captain Nikitin.

We can provide you information, Mr. Speaker, on the case in more detail, but we just want to alert you and alert the State Department today that we expect to have this case front and center in the consciences of everyone who is concerned about the environmental degradation taking place in Russia today as a result of the deterioration of the nuclear submarines that are presently being mothballed.

Mr. Speaker, I insert the following for the RECORD:

DR. CARAWAY: As you know the Supreme Court will hear the Nikitin appeal on Thursday. The verdict should be announced the same day. We will see then.

Unfortunately, the hearing will take place behind closed doors, somewhat incomprehensible given that the hearing is not about the secrecy question, but about procedural issues.

Yours,

THOMAS JANDL,  
Director, Bellona USA.

#### NIKITIN SUPREME COURT SESSION BEHIND CLOSED DOORS

The Supreme Court session in the Nikitin case on 4 February will be held behind closed doors. The presiding judge, a member of an officially abolished department within the Supreme Court Council for the Criminal Cases, made the decision in fear that state secrets might be released.

The Nikitin case will be tried by the Council for the Criminal Cases of the Supreme Court. Many former Soviet dissidents associate this particular council with the dark times of KGB rule back in the Soviet past. The Council used to have a special department supervised by the KGB and responsible for the handling of crimes against the state. The special department was officially abolished as the 'wind of democracy' swept across the former Soviet Union, but its membership remained intact.

"The judges in the Council have been sitting there for as long as I can recall," says Yuri Schmidt, defender of Aleksandr Nikitin and former Soviet dissident. "They are not used to open hearings, they are scared to go public," adds Schmidt.

The court will not consider the merits of the case, but rather evaluate the legality of the 29 October 1998 St. Petersburg City Court ruling to send the case back for further investigation.

No legal grounds to have closed session.

"The only legal reference they can find to justify the closed door hearings is the fact that the case formally deals with so-called state secrets," says Yuri Schmidt. "But the court's task is not to go to the substance of the case, but rather evaluate the legal side of it. What secrets could this constitute," asks Schmidt rhetorically. According to Schmidt, there were quite solid grounds to have the court session behind closed doors in the St. Petersburg City Court as the court was examining the alleged secret material. A substantial part remained open to the public.

"To have the Supreme Court session closed can either be explained by the pressure from the FSB (successor to the KGB) or by the initiative of a KGB-trained judge", says Schmidt.

## THE JUDGE'S DECISION

When approached for comments Supreme Court press spokesman Nikolay Gastello said the decision was taken by the presiding judge, Magomed A. Karimov. Gastello could neither comment on the motives of the judge nor say if the judge would change his mind.

"It was not an unexpected decision," says Aleksandr Nikitin, who arrived in Moscow today. "The FSB is there and does whatever it can to win the case."

## THE NIKITIN CASE

Aleksandr Nikitin is charged with espionage and disclosure of state secrets while working for the Bellona Foundation. He was arrested by the FSB on 6 February 1996, after writing two chapters of a Bellona report on the risks of radioactive pollution from Russia's Northern Fleet. Jailed for 10 months following his arrest, Nikitin has since been restricted to the city limits of St. Petersburg. His case was then tried in St. Petersburg City Court between October 20 and 29, 1998. The St. Petersburg judge's decision to return the case to further investigation was appealed by both the prosecutor and the defence. Their respective appeals are to be heard in the Supreme Court on 4 February 1999.

Contacts in Moscow: Frederic Hauge and Thomas Nilsen.

Contacts in Oslo: Bellona Main Office.

Contacts in Washington: Thomas Jandl.

More info: <http://www.bellona.no/e/russia/nikitin/mailto:info@bellona.no>

# COMMUNICATION FROM STAFF MEMBER OF HONORABLE JIM MCCRERY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Sally Asseff, staff member of the Honorable JIM MCCRERY, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 27, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a grand jury subpoena for documents issued by the U.S. District Court for the Western District of Louisiana.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

SALLY ASSEFF.

# APPOINTMENT OF MEMBERS TO HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 5(b) of Public Law 93-191, the Chair announces the Speaker's appointment of the following Members of the House to the House Commission on Congressional Mailing Standards:

Mr. THOMAS of California, Chairman;

Mr. BOEHNER of Ohio;

Mr. NEY of Ohio;

Mr. HOYER of Maryland;

Mr. CLAY of Missouri; and

Mr. FROST of Texas.

There was no objection.

## MANAGED CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, I want to talk to my colleagues today about managed care reform, an issue that we must take from the drawing board to the signing ceremony this year.

Last year I joined with my friend, the gentleman from Michigan (Mr. DINGELL), and offered the Patients' Bill of Rights as an amendment on the House floor. While I regret that it did not pass, there may have been at least one good thing about that. In the last few weeks, many HMOs have announced double digit premium increases, because, in my opinion they have not done such a great job in cost containment and their premiums have been loss leaders for years. But you can be sure that if the Patients' Bill of Rights had passed last year, they would be blaming us now for their skyrocketing premiums.

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And by the way, how many of their CEOs are taking pay cuts from their multimillion dollar salaries as they are raising their premiums this year?

Mr. Speaker, before discussing how I think Congress will deal with this issue this year, it is important to understand why passage of HMO reform legislation is so important. I will bet that every Member of Congress has heard from constituents describing their own HMO horror story.

We have all seen headlines like: "HMO's Cruel Rules Leave Her Dying for the Doc She Needs." Or: "Ex-New Yorker is Told: Get Castrated So We Can Save Dollars." Or how about this headline: "What His Parents Didn't Know About HMOs May Have Killed This Baby."

Consider the 29-year-old cancer patient whose HMO would not pay for his treatments. The HMO case manager told him instead to hold a fund-raiser. A fund-raiser. Well, Mr. Speaker, I certainly hope that campaign finance reform will not stymie this man's efforts to get his cancer treatment.

During congressional hearings two years ago before the Committee on Commerce, we heard testimony from Alan DeMeurers, who lost his wife, Christy, to breast cancer. When a specialist at UCLA recommended that she undergo a bone marrow transplant, her HMO leaned on UCLA to change its medical opinion. Who knows whether Christy would be with her two children today, had her HMO not interfered with her doctor-patient relationship.

Other plans have placed ridiculous burdens on those seeking emergency care. Ask Jacqueline Lee how bad this can be. In the summer of 1996 she was

hiking in the Shenandoah mountains when she fell off a 40-foot cliff. She fractured her skull, her arm, her pelvis; she was semicomatose. She was airlifted to the local hospital and treated. Now, my colleagues will not believe this. Her HMO refused to pay for the services because she had failed to get preauthorization.

I want to ask my colleagues, what was she supposed to do, know that she was going to fall off a cliff? Or maybe as she was laying at the base of that 40-foot cliff, semicomatose, with her non-broken arm she could pull a cellular phone out of her pocket and phone a 1-800 number saying, I need to get to the emergency room?

Colleagues, there are countless other examples. How about the doctor who was treating a drowning victim, a little 6-year-old boy? This physician told me that this little boy had been in the ICU for just a few hours, was hooked up to a ventilator, they were doing everything they could to save his life, but it did not look very promising. As this physician and the little boy's parents were standing around the bedside, just a few hours after admission to the ICU, the phone rings. It is the HMO case manager.

"Well, how is this little boy's condition?" It is pretty critical. "Well, if it is so dismal, have you thought about sending him home on home ventilation?" Think about that. We are fighting to save this little boy's life, and a few hours after admission, the HMO is suggesting, send him home on home ventilation so that we can save a few dollars.

How about the HMOs that refuse to cover cleft lip and cleft palate surgery, saying that these are cosmetic? How about plans that threaten action against doctors who tell their patients about all of their medical options, not just the cheap ones that the plan will provide? How about HMOs manipulating the term "medically necessary" to avoid covering costly procedures?

Because our friends, our neighbors, our fellow workers, or our own families have had these types of experiences, countless polls show that people want Congress to pass managed care reform legislation this year. A recent Kaiser Family Foundation survey found that 78 percent of voters support managed care reform, and a similar percentage support allowing consumers to go to court to sue their health plans if their health plans are guilty of malpractice.

But no public opinion poll can convey the depth of emotion on this issue, except the way movie audiences around the country spontaneously clapped and cheered Helen Hunt's obscenity-laced description of her HMO in the Oscar-winning movie, *As Good As It Gets*. Audiences across the country responded to her plight because they saw the same things happening to their families, their friends, their fellow workers.

Now, the industry responds, well, these cases that you have talked about, they are all just anecdotes. Well, Mr.